

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MATTHEW TIMOTHY,

Defendant.

8:23CR3059

ORDER

This matter is before the court on the defendant's unopposed Motion to Continue Trial [90]. Counsel needs additional time to review evidence to determine if an expert is required and to prepare for trial. After a telephone conference with counsel on February 3, 2025, the undersigned judge finds good cause for the requested continuance in order to allow the defendant sufficient time to further prepare for trial. For good cause shown,

IT IS ORDERED that the Motion to Continue Trial [90] is granted, as follows:

1. The jury trial, now set for February 24, 2025, is cancelled and will be reset by further order of the court.
2. A telephonic conference with counsel will be held before Magistrate Judge DeLuca at 9:15 a.m. on March 24, 2025, to discuss setting any change of plea hearing, the date of the jury trial and deadlines for disclosing experts as required under Rule 16. Counsel for the parties shall use the conferencing instructions provided by the court to participate in the call.

3. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendants in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between today's date and March 24, 2025, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(6), (7)(A) & (B)(iv).

Dated this 4th day of February, 2025.

BY THE COURT:

s/ Susan M. Bazis
United States District Judge